

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Add Sections 700.4 and 700.5 and
Amend Sections 1.74, 29.15, 116,
Subsections (a)(1)(D)5 of Section 300, (j) of Section 551
and Section 705,
Title 14, California Code of Regulations
Re: Automated License Data System

- I. Date of Initial Statement of Reasons: December 20, 2006
- II. Date of Pre-adoption Statement of Reasons: March 22, 2007
- III. Date of Final Statement of Reasons: July 16, 2007
- IV. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 2, 2007
Location: Monterey, CA
 - (b) Discussion/Adoption Hearing: Date: April 13, 2007
Location: Bodega Bay, CA
- V. Description of Modifications made to originally proposed regulations:

Minor editorial corrections and clarifying language were made to the rulemaking, as follows:

- (a) **Section 1.74- During the process of this rulemaking, another rulemaking amending the text of Section 1.74, Title 14, CCR became operative under Register 2006, No. 31. The noticed changes of this rulemaking were inserted into the current language for this section. Additionally the Authority and Reference note for Section 1.74 failed to show Section 1055.1 of the Fish and Game Code underlined as a new section.**
- (b) **In several sections a pointer reference was inserted to the Title 14 definition for Automated License Data System (ALDS) in Section 700.4, Title 14, CCR.**
- (c) **Section 116 - In the Authority and Reference Note, Section 15101 was inadvertently omitted from the original text, and has been reinserted.**
- (d) **Section 300- The proposed language removed the departments old License and Revenue Branch (LRB) address and instead referred customers to the website for application information. This section has been clarified by adding the new LRB address and also updates the web address with a more specific web link. In addition, Section 208 was removed from the reference note since it was repealed on January 1, 2007.**

- (e) **Section 700.4 - This section was added to provide the public with a general definition for the Automated License Data System (ALDS).**
- (f) **Section 705 - In subsection (e) the word “annual” was added to both licenses making this section consistent with the referenced Section 1061, Fish and Game Code. New reference sections that were originally noticed without an underline are now shown with an underline.**
- (g) **minor grammatical changes were also made.**

VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:

No public comments, written or oral, were received during the public comment period.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified.

(b) No Change Alternative:

If original regulations are retained, the DFG will not be able to conduct business using the ALDS.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result

from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. These changes will allow for the automation of the current manual processes involved with the selling/issuing of licenses.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Updated Informative Digest/Policy Statement Overview

The Department of Fish and Game (DFG) was given Legislative as well as Control Agency approval to purchase and implement the new Automated Data License System (ALDS). The contract for this system was signed on July 12, 2006 and the License and Revenue Branch (LRB) is currently in the system design phase of this project. This regulation change proposal is the first of several proposals that will be submitted by LRB in order to allow the DFG to implement and use this new system. This package seeks to change existing regulations that are too specific and thus limit the DFG to the current manual system. Without these proposed changes to our regulations, the DFG will be unable to implement and use the ALDS system. In addition to the changes needed to implement ALDS, a few additional minor changes are suggested to update regulatory provisions so they are in keeping with present practices, consistent with other statutes and regulations and for clarity purposes.

Pursuant to its April 13, 2007 meeting, the Fish and Game Commission added Section 700.5 and amended Sections 1.74, 29.15, 116, Subsections (a)(1)(D)(5) of Section 300, (j) of Section 551 and Section 705 as follows:

Add Section 700.5:

Currently in Title 14 there exists over 70 different sections where an application, report or form is mentioned and/or required. Under the ALDS system, while the same information contained on those applications, reports or forms will be required, the forms themselves will be obsolete and the necessary information will be gathered, entered and returned electronically. However, during the transitional period the possibility does exist that we will be operating in both the current manual environment as well as the new ALDS environment. Therefore, this new section is needed to redefine the terms applications, reports and forms to allow us the flexibility to implement and use the ALDS system while still keeping the current manual license environment functional.

Amend Section (a) and (b) of Section 1.74:

Amend Subsection (a) because the current license system requires that the fishing license number be recorded on the salmon punch card and that the salmon punch card number be recorded on the fishing license. These provisions are in place to prevent individuals from purchasing more than one Salmon Punch Card per license year. Under the ALDS, all license sales will be processed real-time and stored in the central ALDS database. The ALDS will enforce business rules including license quantity restrictions. The need to cross-reference license document numbers will be eliminated. This section is being amended to accommodate issuance procedures for both the current license system and the ALDS.

Amend Subsection (b) because the return address for the steelhead report card is outdated in regulation. This change now directs anglers to return their cards to the address specified on the card, thus eliminating the need for future regulation changes to correct the address.

Amend Subsection (h) and (i) of Section 29.15:

Amend Subsection (h) to change the current abalone regulations which require that anglers punch a hole and completely remove the punch section (chad) from their abalone permit report cards. Under the ALDS, the license stock or paper will not have pre-punched holes, therefore there will be no "chad" to remove. In addition, this section is being amended because the return address for the abalone report card is outdated in regulation. This change now directs divers to return their abalone report cards to the address specified on the card, thus eliminating the need for future regulation changes to correct the address.

Amend Subsection (i) because the current license system requires that the fishing license number be recorded on the abalone report card and that the abalone report card number be recorded on the fishing license. These provisions are in place to prevent individuals from purchasing more than one Abalone Permit Report Card per license year. Under the ALDS, all license sales will be processed real-time and stored in the central ALDS database. The ALDS will enforce business rules including license quantity restrictions. The need to cross-reference license document numbers will be eliminated. The amendment is proposed to accommodate issuance procedures for both the current license system and the ALDS.

Amend Subsection (a)(5)(6)(7)(8) of Section 116:

Amend Subsection (a)(5) as it is not consistent with ALDS document printing requirements.

Amend Subsection (a)(6) as this regulation is overly prescriptive and inconsistent with DFG treatment of other similar and/or identical requirements.

Amend Subsection (a)(7) to remove the permit year specifics due to redundancy as the permit year is already identified in Section 7857 of the Fish and Game Code.

Amend Subsection (a)(8) to renumber.

Amend Subsection (a)(1)(D)5 of Section 300:

This change is proposed to update the new department LRB address as well as the department's website address for the purposes of applying for the free sage grouse permits. In addition, language specifying the deadline to apply for permits is being clarified.

Amend Subsection (j) of Section 551:

This change is proposed to clarify language specifying the type of hunting license that is required to apply for a waterfowl reservation.

Amend Section 705:

Amend Subsection (a) of Section 705 for clarity purposes.

Amend Subsection (b) of Section 705 to refer to the correct section of Fish and Game

Code, Section 7149(a)(5), which specifies One-Day Sport Fishing Licenses.

Amend Subsection (c) to remove obsolete terms.

Amend Subsections (d) and (e) to accommodate for issuance procedures in both the current license system and the ALDS. Specifically, these sections specify the requirements for purchasing a sport fishing or hunting license for another individual and identify the circumstances under which a voucher may be purchased.

BACKGROUND ON THE AUTOMATED LICENSE DATA SYSTEM (ALDS)

By the end of November 2007, the DFG will have automated the current manual issuance process of recreational licenses (i.e. Sport Fishing, Hunting, etc.). The new automated licensing system, known as the Automated License Data System or ALDS will electronically link point-of-sale (POS) terminals at DFG sales offices and approximately 1,600 retail license agent locations statewide allowing license agents the ability to sell all recreational licensing items including several that are currently available only from DFG offices. The ALDS will also allow customers the ability to purchase recreational licenses via the Internet and/or the telephone. The ALDS POS equipment consists of a 15" touch screen color monitor with an embedded CPU, a magnetic card reader, a bar code scanner and a direct thermal printer which prints licenses instantly on highly durable paper, foldable to credit card size for easy carrying or displaying.

BENEFITS OF ALDS

- Increase customer access to license items by making more items available for sale at license agents, via the Internet and the telephone.
- Improve the license sales and issuance process by eliminating the current cumbersome manual issuance process thus making it quicker and easier to buy a license.
- Subsequent year licenses, privileges and, if necessary, duplicate licenses will be faster and easier as customer data will be stored and retrievable instantly eliminating the need to fill out paperwork at every purchase.
- Helps ensure customers are properly licensed as built-in logic will limit license selection to those licenses each customer is qualified for.
- Allow customers to enter drawings and obtain status/results at license agent locations and via the Internet.
- Reduce the risk of untimely and un-collectible license sales revenues from license agents.
- Eliminate cumbersome manual issuance and accounting of license inventory, as well as, reduce printing, postage and storage costs.
- Provide online, real time access for all DFG offices and dispatch centers for law enforcement purposes.
- Provide the ability to participate in multi-State and Agency data sharing projects, e.g., Hunter Education programs and law enforcement compacts.
- Provide databases to improve resource management decisions, identify customer perceptions and attitudes, develop marketing strategies, and retain or restore hunter and angler participation.

- Provide the ability for the DFG to meet Federal and State data collection and reporting mandates that are not currently achievable, e.g., the State Licensing Match System.
- Provide the DFG the mechanism to offer new and related State and Federal services to a broader range of customers, such as, State Park Day Use Permits, Electronic Federal Duck Stamps and National Forest Adventure Passes.

The following minor editorial changes were made to clarify and simplify the regulations and re-noticed for a period of 15 days:

- **Section 1.74-** During the process of this rulemaking, another rulemaking amending the text of Section 1.74, Title 14, CCR became operative under Register 2006, No. 31. The noticed changes of this rulemaking were inserted into the current language for this section. Additionally the Authority and Reference note for Section 1.74 failed to show Section 1055.1 of the Fish and Game Code underlined as a new section.
- In several sections a pointer reference was inserted to the Title 14 definition for Automated License Data System (ALDS) in Section 700.4, Title 14, CCR.
- **Section 116 -** In the Authority and Reference Note, Section 15101 was inadvertently omitted from the original text, and has been reinserted.
- **Section 300-** The proposed language removed the departments old License and Revenue Branch (LRB) address and instead referred customers to the website for application information. This section has been clarified by adding the new LRB address and also updates the web address with a more specific web link. In addition, Section 208 was removed from the reference note since it was repealed on January 1, 2007.
- **Section 700.4 -** This section was added to provide the public with a general definition for the Automated License Data System (ALDS).
- **Section 705 -** In subsection (e) the word “annual” was added to both licenses making this section consistent with the referenced Section 1061, Fish and Game Code. New reference sections that were originally noticed without an underline are now shown with an underline.

Section 1.74, Title 14, CCR, is amended as follows:

(Originally noticed language (shown in double strikeout) was replaced by updated language for Section 1.74 which was made effective during this rulemaking.)

~~1.74. Salmon Punch Card and Steelhead Fishing Report Card Requirements.~~

~~(a) Anglers must have a nontransferable punch card issued by the department in their possession while fishing for salmon in ocean waters north of Horse Mountain or in waters of the Klamath River system. Anglers must immediately upon taking and retaining an adult salmon over 20 inches total length in ocean waters, and over 22 inches total length in the river system, make a hole in the punch card in one of the designated locations and record the month, day, area of catch and species of salmon in the spaces provided adjacent to the punch.~~

~~A punch card shall be valid for the calendar year. No person may purchase or possess more than one punch card or any punch card other than his own. Upon purchase of the punch card, Unless both the salmon punch card and the sport fishing license are issued through the Automated License Data System, the card number shall be entered in ink on the back of in the space provided on the angler's sport fishing license and the sport fishing license number shall be entered on the punch card in the appropriate box space at the time of issuance.~~

~~Anglers must return punch cards to the department within 30 days of the close of the calendar year. The department may charge a fee for each punch card issued to defray printing and related administrative costs. The amount of said fee shall be \$1.00 as adjusted pursuant to sections 713 and 1055 of the Fish and Game Code.~~

~~(b) Anglers must have a nontransferable Steelhead Fishing Report and Restoration Card issued by the department in their possession while fishing for steelhead trout in anadromous waters (see Section 1.04 for definition of anadromous waters). For purposes of this regulation, a steelhead trout is defined as any rainbow trout greater than 16 inches in length found in anadromous waters. Anglers must immediately record, with a ball point pen, the month, day, catch area, number of steelhead caught and kept, and number of steelhead caught and released whenever the cardholder finishes fishing for the day, moves to another river or stream, or retains a steelhead trout.~~

~~A report and restoration card shall be valid for the calendar year. When the card becomes completely filled in, a person may purchase another card. Anglers must return their card by January 31 of the following year to California Department of Fish and Game, NAFWB, Steelhead Report Card, P.O. Box 944209, Sacramento, CA 94244 2090. the department at the address specified on the card.~~

~~Revenue received from the sale of the cards may only be expended to monitor, restore, or enhance steelhead trout resources and to administer the report restoration card program. The card shall contain a statement explaining potential uses of the funds received.~~

~~Note: Authority cited: Sections 200, 202, 205, 240, 1050, 1055, 1055.1 and 7380, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 240, 713, 1050, 1055, 1055.1, 7380, 7381 and 7382, Fish and Game Code.~~

1.74. Salmon Punch Card and Steelhead Fishing Report Card Requirements.

(a) In addition to a valid sport fishing license, any person fishing for salmon in ocean waters north of Horse Mountain or in waters of the Klamath River system shall have in their possession a nontransferable Salmon Punch Card issued by the department. Anglers must immediately upon taking and retaining an adult salmon as defined in Section 27.80(d) in ocean waters, and over 22 inches total length in the river system, make a hole in the punch card in one of the designated locations and record the month, day, area of catch and

species of salmon in the spaces provided.

The fee for a Salmon Punch Card is specified in Section 701. A Salmon Punch Card shall be valid for the calendar year. No person may purchase or possess more than one Salmon Punch Card or any Salmon Punch Card other than his own. Unless both the salmon punch card and the sport fishing license are issued through the Automated License Data System (see Section 700.4), a Any person who issues a Salmon Punch Card shall enter the card number on the appropriate space provided on the angler's valid sport fishing license. The sport fishing license number shall be entered on the punch card in the appropriate space provided.

Anglers must return punch cards to the department within 30 days of the close of the calendar year.

(b) In addition to a valid sport fishing license, any person fishing for steelhead trout in anadromous waters (see Section 1.04 for definition of anadromous waters) shall have in their possession a nontransferable Steelhead Fishing Report and Restoration Card issued by the department. For purposes of this regulation, a steelhead trout is defined as any rainbow trout greater than 16 inches in length found in anadromous waters. Anglers must immediately record, with a ball-point pen, the month, day, catch area, number of steelhead caught and kept, and number of steelhead caught and released whenever the cardholder finishes fishing for the day, moves to another river or stream, or retains a steelhead trout.

A Steelhead Fishing Report and Restoration Card shall be valid for the calendar year. When the card becomes completely filled-in, any person may purchase another card. Anglers must return their card by January 31 of the following year to the address specified on the Steelhead Fishing Report and Restoration Card.

Revenue received from the sale of the cards may only be expended to monitor, restore, or enhance steelhead trout resources and to administer the report-restoration card program. The card shall contain a statement explaining potential uses of the funds received.

Note: Authority cited: Sections 200, 202, 205, 240, 1050, 1055, 1055.1 and 7380, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 240, 713, 1050, 1055, 1055.1, 7380, 7381 and 7382, Fish and Game Code.

Section 29.15, Title 14, CCR, is amended as follows:

29.15. Abalone.

- (a) Geographic Area: Abalone may only be taken north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. No abalone may be taken, landed, or possessed if landed south of this line.
- (b) Open Season and Hours: Abalone may be taken only during the months of April, May, June, August, September, October and November from one-half hour before sunrise to one-half hour after sunset.
- (c) Bag Limit and Yearly Trip Limit: Three red abalone, *Haliotis rufescens*, may be taken per day. No more than three abalone may be possessed at any time. No other species of abalone may be taken or possessed. Each person taking abalone shall stop detaching abalone when the limit of three is reached. No person shall take more than 24 abalone during a calendar year.
- (d) Minimum Abalone Size: All red abalone must be seven inches or greater measured along the longest shell diameter. All legal size abalone detached must be retained. No undersized abalone may be brought ashore or aboard any boat, placed in any type of receiver, kept on the person, or retained in any person's possession or under his control. Undersize abalone must be replaced immediately to the same surface of the rock from which detached. Abalones brought ashore shall be in such a condition that the size can be determined.
- (e) Special Gear Provisions: The use of SCUBA gear or surface supplied air to take abalone is prohibited. Abalone may not be taken or possessed aboard any boat, vessel, or floating device in the water containing SCUBA or surface supplied air. Abalone may be taken only by hand or by devices commonly known as abalone irons. Abalone irons must be less than 36 inches long, straight or with a curve having a radius of not less than 18 inches, and must not be less than 3/4 inch wide nor less than 1/16 inch thick. All edges must be rounded and free of sharp edges. Knives, screwdrivers and sharp instruments are prohibited.
- (f) Measuring Device. Every person while taking abalone shall carry a fixed caliper measuring gauge capable of accurately measuring seven inches. The measuring device shall have fixed opposing arms of sufficient length to measure the abalone by placing the gauge over the shell.
- (g) Abalone Possession and Transportation: Abalones must not be removed from their shell, except when being prepared for immediate consumption.
- (h) Abalone Permit Report Card. All persons, required to possess a sport fishing license, must have a nontransferable Abalone Permit Report Card (FG 2915 (New 12/03)) issued by the department while taking abalone. The Abalone Permit Report Card shall be kept with the fishing license while taking or attempting to take abalone. Persons diving from a boat shall keep the license and Abalone Permit Report Card in the boat. The Abalone Permit Report Card shall be completed as required immediately upon returning and boarding the boat with abalone. Persons diving from the shore shall keep the license and Abalone Permit Report Card within 500 yards on the shore. Persons shall, immediately upon bringing ashore an abalone, make a hole and ~~completely remove the punched section from the report card~~ in one of the designated locations for each abalone taken, and record with indelible ink, the date, time, and location code in the spaces provided adjacent to the hole. For the purposes of this section a boat is defined as any watercraft used or capable of

being used as a means of transportation on water (reference Section 9840(a), Vehicle Code and Section 6552(q), Title 14, California Code of Regulations).

An Abalone Permit Report Card shall be valid during the open season for taking abalone in the calendar year for which it was issued. No person may be issued or possess more than one Abalone Permit Report Card or any Abalone Permit Report Card other than their own.

The Abalone Permit Report Card must be returned to the department at the address specified on the card ~~Department of Fish and Game at 19160 South Harbor Drive, Fort Bragg, California 94537,~~ within 30 days of the close of the calendar abalone season.

(i) Upon purchase of the Abalone Permit Report Card, the card number shall be entered by the license agent in ink ~~on the back of~~ in the space provided on the angler's sport fishing license. The sport fishing license number shall be entered by the license agent ~~on~~ in the space provided on the Abalone Permit Report Card ~~on the appropriate line~~. This subsection does not apply if both the Abalone Permit Report Card and sport fishing license are issued through the Automated License Data System (see Section 700.4).

Note: Authority cited: Sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 5521, 7145 and 7149.8, Fish and Game Code.

Subsection (a) of Section 116, Title 14, CCR, is amended as follows:

116. Crayfish.

Freshwater crayfish may not be taken for commercial purposes except in accordance with the following regulations:

(a) Licenses and Permits Required.

(1) Crayfish may not be taken for commercial purposes except under a revocable, nontransferable, numbered permit issued by the department. See subsection 699(b) of these regulations for the fee for this permit. (NOTE: This fee shall be charged effective April 1, 1992.) Persons taking crayfish for a fee under the authority of a scientific collector's permit do not need to have this permit.

(2) Except for those taking crayfish for a fee under the authority of a scientific collector's permit, every person who takes, assists in taking, possesses or transports crayfish while on any boat or vessel, or who uses or operates or assists in using or operating any boat, trap, or other appliance to take crayfish, must have a valid crayfish permit issued to him and must be in possession of said permit while engaged in any of such activities.

(3) Crayfish may not be taken for commercial purposes for human consumption except under the authority of a commercial fishing license. Commercial fishermen taking crayfish shall also comply with requirements of the Fish and Game Code relating to commercial fishing vessel registration and other applicable commercial laws.

(4) Crayfish may not be taken as live bait for commercial purposes except under the authority of a live freshwater bait fish license.

~~(5) Crayfish permits shall contain all applicable regulations and shall be conditioned on compliance with such regulations and the applicable provisions of law.~~

~~(6) The application for such a permit shall contain the statement, signed by the applicant, that he has read, understands, and agrees to be bound by all the terms of the permit.~~

~~(7) (5) Such permits shall be issued annually by the department for the period from April 1 to March 31 of the following year, or, if issued after the beginning of such term, for the remainder thereof. A crayfish permit may be revoked or suspended, for a period not to exceed one year, by the commission for violation of any of the terms of the permit or provisions of law relating to the taking of crayfish by the permittee or his agent, servant, employee, or person acting under his direction and control. However, any person who has had such a permit revoked may be required by the commission to appear before it and no new permit may be issued to such person unless the commission finds that such issuance will be in the best interests of the crayfish resource.~~

~~(8) (6)~~ The permit number of the person owning or in command of any boat used to take crayfish shall be visibly displayed on both sides of the boat in 10-inch black numbers, one-inch wide, on a white background.

Note: Authority cited: Section 8491, Fish and Game Code.

Reference: Section 8491 and 15101, Fish and Game Code.

Subsection (a)(1)(D)5 of Section 300, Title 14, CCR, is amended as follows:

300. Upland Game Birds. <http://www.dfg.ca.gov/licensing/>

5. Permit Process:

The free sage grouse hunting permits shall be issued by public drawing. All applicants shall apply either on a postcard or through the Internet at the License and Revenue Branch Home Page at <http://www.dfg.ca.gov/licensing/> and select sage grouse drawing. All applicants must provide their name, address, zip code, hunting license number, and the zone they wish to hunt. Applicants shall submit only one drawing application for either the East Lassen Zone, Central Lassen Zone, North Mono Zone, or the South Mono and Inyo Zone. Up to four hunters may apply as a party. All hunters' names, addresses, and hunting license numbers must be included on the application. Postcard applications for all hunts shall be mailed to the Department of Fish and Game, License and Revenue Branch, ~~3211 S Street, 1740 North Market Blvd, Sacramento, California, 95816 95834. Applications will be accepted at locations specified on the department's web site at: www.dfg.ca.gov.~~ Applications must be received ~~before the close of the business day~~ by 5:00 PM on the second Monday of August for all open zones (East Lassen Zone, Central Lassen Zone, North Mono Zone, or the South Mono and Inyo Zone). Successful applicants will be notified by mail prior to the opening date of the season. Permits are nontransferable. Any permits remaining after the drawing will be issued on a first-come, first-served basis and will be advertised by news release following each drawing. Applications for remaining permits shall be mailed to the above address with the same required information. Successful drawing applicants previously selected, or hunt party members, may not apply for remaining permits.

Note: Authority cited: Sections 200, 202, 203 and 355, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, ~~208~~, 215, 220, 355 and 356, Fish and Game Code.

Subsection (j) of Section 551, Title 14, CCR, is amended as follows:

551. Hunting, Firearms, and Archery Equipment Use and Permit Requirements on State and Federal Areas.

(j) Reservations:

(1) Advance reservations for waterfowl and pheasant hunting will be available for certain areas as specified under subsections 551(q) and 552(a).

(2) Reservations shall be issued by random drawing. The department shall make applications available to the public through license agents and department offices.

Applicants must possess ~~a California resident, junior, or nonresident~~ an annual or lifetime hunting license valid for the waterfowl hunting season for which they are applying. Two-day nonresident hunting licenses shall not be used to apply for reservation drawings. To be included in a reservation drawing, applications must be received by the department at the address specified on the application at least 17 days prior to the hunt date. Late, incomplete, or incorrect applications will not be included in the drawing. The fee to apply for a reservation is specified in Section 702. Hunters may apply for reservations using one or more of the following applications:

(A) One-Choice Reservation Application

(B) Five-Choice Reservation Application

(C) Season-Long Reservation Application - hunters may apply for every available hunt date for one or more areas by completing a season-long reservation application form and returning it with the appropriate payment to the department at the address specified on the application.

(D) Reservation application fees are not refundable.

(3) Multiple Applications:

(A) The applicant is limited to one application for each area for each authorized shoot date as specified under subsections 551(q) and 552(a), unless otherwise specified in subsection 551(q).

(B) The department may eliminate from any drawing all applications not in compliance with these regulations. Persons who submit more than one application for the same shoot date for the same area may be barred from hunting on State-operated areas for a period of one year following the date of discovery of the violation by the department. Any reservation issued to any person as a result of such improper submission, or to any person already barred from the State-operated areas, shall be void and of no force and effect.

(4) Priorities: Unless otherwise stated on the reservation or on information mailed with the reservation, upon paying the appropriate fee for a one-day entry permit or presenting a two-day pass or season pass, successful applicants shall be granted a one-day entry permit during the waterfowl or pheasant season, a one-day permit shall be granted, however, only if the applicant's reservation was issued by the department in the applicant's name and is for the area requested. Applicants must enter, at the appropriate checking station on the assigned or stated hunt date. Unless otherwise provided for, the reservation will expire one and one-half hours before waterfowl shoot time. For some areas, reservations will be numbered by the department in the order in which they are drawn. These reservations will be accepted at checking stations in that order, only if the reservation holder is present at the time the number is called.

(5) Except as provided for in subsections 551(j)(6) or 551(q), or Section 552, a reservation shall assure entry for up to six persons. No more than two may be adult (see subsection 551(h)(2)) hunters who have valid resident or nonresident licenses and no more than two

may be persons 16 or 17 years of age in possession of a valid resident or nonresident hunting license (see subsection 551(h)(2)). Each adult may be accompanied by up to two hunters holding junior licenses or two non-shooters irrespective of age, or one of each. Non-shooters are defined as persons who wish to accompany a permittee in the field or remain at a designated parking space. Non-shooters shall not discharge or possess ammunition or a firearm on the area.

(6) If hunting a special blind area, a reservation will assure entry of no more persons (adult hunters, junior hunters, and/or nonshooters) than will fill the blind.

(7) Unless otherwise provided for in this section, the advance reservation system only serves to assure entry onto the area and does not necessarily constitute a method for prioritization over other users.

Note: Authority cited: Sections 200, 202, 203, 355, 713, 1050, 1526, 1528, 1530, 1570-72, 1765 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1570-1572, 1764, 1765, 2006 and 10504, Fish and Game Code.

Section 700.4, Title 14, CCR, is added as follows:

700.4. Automated License Data System.

(a) Defined:

For the purposes of the Title 14, Division 1, California Code of Regulations, the “Automated License Data System” or “ALDS” is an automated system that will replace the Department’s current paper-based licensing. The ALDS enables license items to be printed instantly using point of sale equipment and will be available at license agents and Department offices located throughout the state. The ALDS also allows for licensing via the telephone and/or Internet.

Note: Authority cited: Section 1050, Fish and Game Code.

Reference: Section 1050, Fish and Game Code.

Section 700.5, Title 14, CCR, is added as follows:

700.5. Applications and Reports.

(a) For any license, permit, tag, reservation or other entitlement issued by the department where a specific form or application is specified, the department may accept the submission of equivalent information identified on the application or form via alternative media, such as the Internet, an Automated License Data System (ALDS) Point of Sale terminal or the telephone.

(b) For any license, permit, tag, reservation or other entitlement provided by the department where a specific location is specified, the department may accept the submission at alternative locations, such as other department offices, license agent locations or the Internet.

(c) For any license, permit, tag, reservation or other entitlement issued by the department where a report is required and a specific reporting methodology or report form is specified, the department may accept the submission of equivalent information identified on the report form via alternative media, such as the Internet, an Automated License Data System (ALDS) Point of Sale terminal or the telephone.

Note: Authority cited: Section 1050, Fish and Game Code.

Reference: Section 1050, Fish and Game Code.

Section 705, Title 14, CCR, is amended as follows:

705. Hunting and Fishing Licenses, Application for.

The following procedure shall be followed in issuing hunting or sport fishing licenses:

(a) A hunting or sport fishing license, except as provided in subsections 705 (b) and (c), Title 14, CCR, shall contain the following information about the licensee before being issued ~~to the licensee~~:

- (1) True name
- (2) Residence address
- (3) Date of Birth
- (4) Height
- (5) Color of eyes
- (6) Color of hair
- (7) Weight
- (8) Sex

(b) A sport fishing license issued pursuant to ~~subsections 7149(a)(3) and 7149(c) subsections 7149(a)(5) and or 7149.05(a)(5)~~ of the Fish and Game Code shall contain the name of the angler and the date of validity before being issued to the licensee.

(c) For licenses issued via the current paper license system. Notwithstanding the provisions of Fish and Game Code ~~Section 1053~~, a any person may purchase a hunting or sport fishing license, ~~license tags or license stamps~~ for another person, as long as the application contains the licensee's true name and residence address. Prior to using any ~~license or license stamps~~, the licensee shall complete the license so that it contains all of the information required in subsection (a) above.

(d) For licenses issued via the Automated License Data System (ALDS)(see Section 700.4). Notwithstanding any provisions of Fish and Game Code, Section 1053, any person may purchase a hunting or sport fishing license for another person, as long as the licensee's customer identification number issued from the ALDS and date of birth are provided.

(e) For licenses issued via the ALDS and/or the current paper license system. Pursuant to Fish and Game Code Section 1061, any person who wishes to purchase an annual hunting license or annual sport fishing license for another person but does not have available the information required for that purchase may be allowed to purchase a voucher for said license.

Note: Authority cited: Sections 1050 and 4331, Fish and Game Code.

Reference: Sections 1050, 1053, 1061, 3031, 4331, 7145, 7149, 7149.05, 7149.2 and 7150, Fish and Game Code.